HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 4989 of 2007

PETITIONERS

1. Nirmal Kindo S/o Gabral Kindo, aged about 35 years, working as Chowkidar, Govt. Post Matric Girls Hostel Jashpur R/o Saindhiwair Toli, Tahsil Kunkuri, District Jashpur (C.G.)
2. Ritran Ram S/o Sital Ram, aged about 46 years working as Chowkidar Govt. High School Aara, R/o Narainpur Post Aara, Tahsil Jashpur District Jashpur (C.G.)
3. Sudama Lal Viswal S/o Hiradhar Viswal, aged about 46 years, working as Rasoiya Govt. Boys Higher Secondary School, Jashpur R/o Jashpur Tahsil Jashpur District Jashpur (C.G.)

Versus

RESPONDENTS

1 State of Chhattisgarh through the Secretary Department of Tribal Welfare D.K.S. Bhawan, Mantralaya, Raipur Chhattisgarh.

2 Collector, Aadim Jati Kalyan Branch, Jashpur, Tehsil & District, Jashpur (The then Raigarh) (C.G.)

3 Assistant Commissioner Aadivasi-Vikas Tribal, Jashpur (The then Raigarh) (C.G.)

4 Commissioner, Aadivasi Vikas Raipur (C.G.)

(Writ Petition under Article 226 of the Constitution of India)

Appearance:

Shri Rahul Jha, Shri Harish Khuntiya & Shri Akshay Yadav, Advocates for the petitioners.

Ms. Sunita Jain, Panel Lawyer, for the State/respondents on advance copy.

ORAL ORDER
(13.12.2007)

SUNIL KUMAR SINHA, J.

Heard finally with the consent of both the parties.

By this petition, the petitioners have challenged the validity of order dated 4.10.1997 (Annexure-P/4) passed by the Additional Collector, Raigarh, whereunder the grant of regular

(57)

pay scales to the petitioners were withdrawn and the petitioners were paid thereafter daily wages as per Collector's rate.

Both the counsel agree and submit that this matter is squarely covered by the decision rendered in W.P. (S) No. 2413 of 2007 on 19th April, 2007. A copy of the said decision has been filed as Annexure-P/7. They submit that this petition may be disposed of in terms of the order passed in the aforesaid writ petition.

This joint prayer made by both the parties is allowed.

This writ petition is disposed of in terms of the order dated 19th April, 2007 passed in W.P. (S) No. 2413/2007.

Accordingly, the order dated 4.10.97 (Annexure-P/4) is quashed. The petitioners are entitled to regular pay scales from the date the same have been withdrawn by the impugned order. No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge

vatti